



General Assembly

February Session, 2006

Raised Bill No. 429

LCO No. 2066

02066_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT ADOPTING THE CONNECTICUT UNIFORM TRUST CODE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective January 1, 2007*) Sections 1 to 86,
2 inclusive, of this act may be cited as the "Connecticut Uniform Trust
3 Code".

4 Sec. 2. (NEW) (*Effective January 1, 2007*) Sections 1 to 86, inclusive, of
5 this act apply to express trusts, whether testamentary or inter vivos
6 and whether charitable or noncharitable, and trusts created pursuant
7 to a statute, judgment or decree that requires the trust to be
8 administered in the manner of an express trust.

9 Sec. 3. (NEW) (*Effective January 1, 2007*) As used in sections 1 to 86,
10 inclusive, of this act:

11 (1) "Action", with respect to an act of a trustee, includes a failure to
12 act.

13 (2) "Beneficiary" means a person that (A) has a present or future
14 beneficial interest in a trust, vested or contingent, or (B) in a capacity
15 other than that of trustee, holds a power of appointment over trust

16 property.

17 (3) "Beneficiary surrogate" means a person, other than a trustee,
18 designated by the settlor in the trust instrument to receive notices,
19 information and reports otherwise required to be provided to a current
20 beneficiary under subdivisions (8) and (9) of subsection (b) of section 5
21 of this act.

22 (4) "Charitable trust" means a trust, or portion of a trust, created for
23 a charitable purpose described in section 25 of this act.

24 (5) "Current beneficiary" means a beneficiary who, on the date the
25 beneficiary's qualification is determined, is a distributee or permissible
26 distributee of trust income or principal.

27 (6) "Conservator" means a person appointed by the court to
28 administer the estate of a minor or adult individual and includes a
29 guardian of the estate of a minor.

30 (7) "District" means, for purposes of venue, the district of the court
31 having or accepting jurisdiction over the proceeding.

32 (8) "Environmental law" means a federal, state or local law, rule,
33 regulation or ordinance relating to protection of the environment.

34 (9) "Guardian" means a person appointed by the court to make
35 decisions regarding the support, care, education, health and welfare of
36 a minor or adult individual and includes a conservator of the person of
37 an adult, but does not include a guardian ad litem.

38 (10) "Interests of the beneficiaries" means the beneficial interests
39 provided in the terms of the trust.

40 (11) "Inter vivos trust" means any trust that is not a testamentary
41 trust.

42 (12) "Jurisdiction", with respect to a geographic area, includes a state
43 or country.

44 (13) "Mandatory distribution" means a distribution of income or
45 principal that the trustee is required to make to a beneficiary under the
46 terms of the trust, including a distribution upon termination of the
47 trust. The term does not include a distribution subject to the exercise of
48 the trustee's discretion, regardless of whether the terms of the trust (A)
49 include a support or other standard to guide the trustee in making
50 distribution decisions, or (B) provide that the trustee "may" or "shall"
51 make discretionary distributions, including distributions pursuant to a
52 support or other standard.

53 (14) "Permissible distributee" means a beneficiary who is currently
54 entitled to or eligible to receive a distribution from a trust.

55 (15) "Person" means an individual, corporation, business trust,
56 estate, trust, partnership, limited liability company, association, joint
57 venture, court, government, governmental subdivision, agency or
58 instrumentality, public corporation or any other legal or commercial
59 entity.

60 (16) "Power of withdrawal" means a presently exercisable general
61 power of appointment other than a power exercisable only upon
62 consent of the trustee or a person holding an adverse interest.

63 (17) "Property" means anything that may be the subject of
64 ownership, whether real or personal and whether legal or equitable, or
65 any interest therein.

66 (18) "Qualified beneficiary" means a beneficiary who, on the date the
67 beneficiary's qualification is determined: (A) Is a distributee or
68 permissible distributee of trust income or principal; (B) would be a
69 distributee or permissible distributee of trust income or principal if the
70 interests of the distributees described in subparagraph (A) of this
71 subdivision terminated on such date without causing the trust to
72 terminate; or (C) would be a distributee or permissible distributee of
73 trust income or principal if the trust terminated on such date.

74 (19) "Revocable", as applied to a trust, means revocable by the
75 settlor without the consent of the trustee or a person holding an
76 adverse interest.

77 (20) "Settlor" means a person, including a testator, who creates or
78 contributes property to a trust. If more than one person creates or
79 contributes property to a trust, each person is a settlor of the portion of
80 the trust property attributable to such person's contribution, except to
81 the extent another person has the power to revoke or withdraw such
82 portion.

83 (21) "Spendthrift provision" means a term of a trust that restrains
84 both voluntary and involuntary transfer of a beneficiary's interest.

85 (22) "State" means a state of the United States, the District of
86 Columbia, Puerto Rico, the United States Virgin Islands or any
87 territory or insular possession subject to the jurisdiction of the United
88 States, and includes an Indian tribe or band recognized by federal law
89 or formally acknowledged by a state.

90 (23) "Terms of a trust" or "terms of the trust" means the
91 manifestation of the settlor's intent regarding a trust's provisions as
92 expressed in the trust instrument or as may be established by other
93 evidence that would be admissible in a judicial proceeding.

94 (24) "Testamentary trust" means a trust created under a will or any
95 other trust created, authorized or approved by order of a probate
96 court.

97 (25) "Trust instrument" means an instrument executed by the settlor
98 that contains terms of the trust, including any amendments thereto.

99 (26) "Trustee" includes an original, additional and successor trustee
100 and a cotrustee.

101 Sec. 4. (NEW) (*Effective January 1, 2007*) (a) Subject to subsection (b)
102 of this section, for the purposes of sections 1 to 86, inclusive, of this act,

103 a person has knowledge of a fact if the person (1) has actual
104 knowledge of the fact, (2) has received a notice or notification of the
105 fact, or (3) from all the facts and circumstances known to the person at
106 the time in question, has reason to know the fact.

107 (b) An organization that conducts activities through employees has
108 notice or knowledge of a fact involving a trust only from the time the
109 information was received by an employee having responsibility to act
110 for the trust, or from the time the information would have been
111 brought to the employee's attention if the organization had exercised
112 reasonable diligence. An organization exercises reasonable diligence if
113 it maintains reasonable routines for communicating significant
114 information to the employee having responsibility to act for the trust
115 and there is reasonable compliance with the routines. Reasonable
116 diligence does not require an employee of the organization to
117 communicate information unless the communication is part of the
118 individual's regular duties or the individual knows a matter involving
119 the trust would be materially affected by the information.

120 Sec. 5. (NEW) (*Effective January 1, 2007*) (a) Except as otherwise
121 provided in the terms of the trust, sections 1 to 86, inclusive, of this act
122 govern the duties and powers of a trustee, relations among trustees
123 and the rights and interests of a beneficiary.

124 (b) The terms of a trust prevail over any provision of sections 1 to
125 86, inclusive, of this act except: (1) The requirements for creating a
126 trust; (2) the duty of a trustee to act in good faith and in accordance
127 with the terms and purposes of the trust; (3) the requirement of section
128 24 of this act that a trust have a purpose that is lawful, not contrary to
129 public policy and possible to achieve; (4) the power of the court to
130 modify or terminate a trust under sections 30 to 36, inclusive, of this
131 act; (5) the effect of a spendthrift provision and the rights of certain
132 creditors and assignees to reach a trust as provided in sections 38 to 45,
133 inclusive, of this act; (6) the power of the court under section 51 of this
134 act to require, dispense with, modify or terminate a bond; (7) the

135 power of the court under section 57 of this act to adjust a trustee's
136 compensation specified in the terms of the trust that is unreasonably
137 low or high; (8) with respect to the current beneficiaries of a revocable
138 trust that has become irrevocable who have attained twenty-one years
139 of age, the duty under subdivision (3) of subsection (b) of section 67 of
140 this act to notify them of the existence of the trust, of the identity of the
141 trustee, and of their right to request trustee's reports; (9) with respect
142 to the current beneficiaries of a testamentary trust or an inter vivos
143 trust created pursuant to a court approved settlement who have
144 attained twenty-one years of age, the duties under section 67 of this
145 act; (10) the duty under subdivision (2) of subsection (a) of section 67
146 of this act to respond to the request of a beneficiary of an irrevocable
147 trust for information reasonably related to the administration of a
148 trust; (11) the effect of an exculpatory term under section 78 of this act;
149 (12) the rights under sections 80 to 83, inclusive, of this act of a person
150 other than a trustee or beneficiary; (13) periods of limitation for
151 commencing a judicial proceeding; (14) the power of the court to take
152 such action and exercise such jurisdiction as may be necessary in the
153 interests of justice; (15) the subject-matter jurisdiction of the court and
154 venue for commencing a proceeding as provided in sections 14 and 15
155 of this act; or (16) the provisions of sections 1 to 86, inclusive, of this act
156 specifically dealing with the supervision of testamentary trusts by the
157 court.

158 (c) With respect to one or more of the current beneficiaries, the
159 settlor, in the trust instrument, may waive or modify the duties of the
160 trustee described in subdivisions (8) and (9) of subsection (b) of this
161 section. Such a waiver or modification may be made only by the settlor
162 designating in the trust instrument one or more beneficiary surrogates
163 to receive any notices, information or reports otherwise required under
164 said subdivisions to be provided to the current beneficiaries. If the
165 settlor makes such a waiver or modification, the trustee shall provide
166 such notices, information or reports to the beneficiary surrogates, in
167 lieu of providing them to the current beneficiaries. The beneficiary
168 surrogates shall act in good faith to protect the interests of the current

169 beneficiaries for whom the notices, information or reports are received.
170 The beneficiary surrogates are deemed to be representatives of the
171 current beneficiaries not provided such notices, information or reports
172 for all purposes, except for the time limitation for a beneficiary to
173 commence an action against a trustee for breach of trust as provided in
174 subsections (a) and (b) of section 75 of this act.

175 Sec. 6. (NEW) (*Effective January 1, 2007*) The common law of trusts
176 and principles of equity supplement sections 1 to 86, inclusive, of this
177 act, except to the extent modified by sections 1 to 86, inclusive, of this
178 act or another statute of this state.

179 Sec. 7. (NEW) (*Effective January 1, 2007*) (a) The meaning and effect
180 of the terms of an inter vivos trust are determined by: (1) The law of
181 the jurisdiction designated in the terms of the trust, unless the
182 designation of such jurisdiction's law is contrary to a strong public
183 policy of the jurisdiction having the most significant relationship to the
184 matter at issue; or (2) in the absence of a controlling designation in the
185 terms of the trust, the law of the jurisdiction having the most
186 significant relationship to the matter at issue.

187 (b) The meaning and effect of the terms of a testamentary trust are
188 determined by the law of this state.

189 Sec. 8. (NEW) (*Effective January 1, 2007*) (a) Without precluding other
190 means for establishing a sufficient connection with the designated
191 jurisdiction, terms of a trust designating the principal place of
192 administration are valid and controlling if: (1) A trustee's principal
193 place of business is located in or a trustee is a resident of the
194 designated jurisdiction; or (2) all or part of the administration occurs in
195 the designated jurisdiction.

196 (b) A trustee is under a continuing duty to administer the trust at a
197 place appropriate to its purposes, its administration and the interests
198 of the beneficiaries.

199 (c) The principal place of administration of a testamentary trust
200 shall be (1) in the case of a trust created under a will, in the district in
201 which the settlor's estate was or is being administered, (2) in the case of
202 any other trust created, authorized or approved by order of the
203 Probate Court, in the district in which the court creating the trust is
204 located, or (3) in the case of a trust transferred to this state subject to
205 the continuing supervision of the court, the district in which the
206 trustee's principal place of business is located, where the trustee
207 resides or where all or part of the administration occurs.

208 (d) Without precluding the right of the court to order, approve or
209 disapprove a transfer, the trustee of an inter vivos trust, and the trustee
210 of a testamentary trust with court approval, in furtherance of the duty
211 prescribed by subsection (b) of this section, may transfer the trust's
212 principal place of administration to another state or to a jurisdiction
213 outside of the United States.

214 (e) The trustee of an inter vivos trust shall notify the qualified
215 beneficiaries of a transfer of a trust's principal place of administration
216 not less than sixty days before initiating the transfer. The notice of the
217 transfer shall include: (1) The name of the jurisdiction to which the
218 principal place of administration is to be transferred; (2) the address
219 and telephone number at the new location at which the trustee can be
220 contacted; (3) an explanation of the reasons for the transfer; and (4) the
221 date on which the transfer is anticipated to occur.

222 (f) In connection with a transfer of the trust's principal place of
223 administration, the trustee may transfer some or all of the trust
224 property to a successor trustee designated in the terms of the trust or
225 appointed pursuant to section 53 of this act.

226 Sec. 9. (NEW) (*Effective January 1, 2007*) (a) Notice to a person under
227 sections 1 to 86, inclusive, of this act, or the sending of a document to a
228 person under sections 1 to 86, inclusive, of this act, shall be
229 accomplished in a manner reasonably suitable under the circumstances
230 and likely to result in receipt of the notice or document. Permissible

231 methods of notice or for sending a document include first-class mail,
232 personal delivery, delivery to the person's last-known place of
233 residence or place of business, or a properly directed electronic
234 message, if the person has consented in advance to receive notices or
235 documents by electronic message.

236 (b) Notice otherwise required under sections 1 to 86, inclusive, of
237 this act, or a document otherwise required to be sent under sections 1
238 to 86, inclusive, of this act need not be provided to a person whose
239 identity or location is unknown to and not reasonably ascertainable by
240 the trustee.

241 (c) Notice under sections 1 to 86, inclusive, of this act or the sending
242 of a document under sections 1 to 86, inclusive, of this act may be
243 waived by the person to be notified or to be sent the document.

244 (d) Notice of a judicial proceeding shall be given as provided in any
245 applicable court rules.

246 Sec. 10. (NEW) (*Effective January 1, 2007*) (a) Whenever notice to
247 qualified beneficiaries of a trust is required under sections 1 to 86,
248 inclusive, of this act, the trustee shall also give notice to any other
249 beneficiary who has sent the trustee a request for notice.

250 (b) A charitable organization expressly designated to receive
251 distributions under the terms of a charitable trust has the rights of a
252 qualified beneficiary under sections 1 to 86, inclusive, of this act if the
253 charitable organization, on the date the charitable organization's
254 qualification is being determined: (1) Is a distributee or permissible
255 distributee of trust income or principal; (2) would be a distributee or
256 permissible distributee of trust income or principal upon the
257 termination of the interests of other distributees or permissible
258 distributees then receiving or eligible to receive distributions; or (3)
259 would be a distributee or permissible distributee of trust income or
260 principal if the trust terminated on such date.

261 (c) A person appointed to enforce a trust created for the care of an
262 animal or another noncharitable purpose as provided in section 28 or
263 29 of this act has the rights of a qualified beneficiary under sections 1
264 to 86, inclusive, of this act.

265 Sec. 11. (NEW) (*Effective January 1, 2007*) (a) For the purposes of this
266 section, "interested persons" means persons whose consent would be
267 required in order to achieve a binding settlement were the settlement
268 to be approved by the court.

269 (b) Except as otherwise provided in subsections (c) and (e) of this
270 section, interested persons may enter into a binding nonjudicial
271 settlement agreement with respect to any matter involving an inter
272 vivos trust.

273 (c) A nonjudicial settlement agreement is valid only to the extent it
274 does not violate a material purpose of the trust and includes terms and
275 conditions that could be properly approved by the court under
276 sections 1 to 86, inclusive, of this act or other applicable law.

277 (d) Matters that may be resolved by a nonjudicial settlement
278 agreement include: (1) The interpretation or construction of the terms
279 of the trust; (2) the approval of a trustee's report or accounting; (3)
280 direction to a trustee to refrain from performing a particular act or the
281 grant to a trustee of any necessary or desirable power; (4) the
282 resignation or appointment of a trustee and the determination of a
283 trustee's compensation; (5) transfer of a trust's principal place of
284 administration; and (6) liability of a trustee for an action relating to the
285 trust.

286 (e) A nonjudicial settlement agreement may not modify or terminate
287 an irrevocable trust. Such modification or termination may only be
288 accomplished under the provisions of sections 21 to 37, inclusive, of
289 this act.

290 (f) Any interested person may request the court to approve a

291 nonjudicial settlement agreement, to determine whether the
 292 representation as provided in sections 16 to 20, inclusive, of this act
 293 was adequate, and to determine whether the agreement contains terms
 294 and conditions the court could have properly approved.

295 Sec. 12. (NEW) (*Effective January 1, 2007*) (a) A testamentary trust is
 296 subject to continuing judicial supervision. For this purpose, a
 297 testamentary trust shall include any trust created under the laws of
 298 another jurisdiction, the principal place of administration of which is
 299 transferred to this state and expressly made subject to the continuing
 300 supervision of the court by the transferring court or document of
 301 transfer.

302 (b) The court may intervene in the administration of an inter vivos
 303 trust to the extent its jurisdiction is invoked by an interested person or
 304 as provided by law.

305 (c) An inter vivos trust is not subject to continuing judicial
 306 supervision.

307 (d) A judicial proceeding involving a trust may relate to any matter
 308 involving the trust's administration, including, but not limited to, a
 309 proceeding to: (1) Request instructions or declare rights; (2) approve a
 310 nonjudicial settlement; (3) interpret or construe the terms of a trust; (4)
 311 determine the validity of a trust or of any of its terms; (5) approve a
 312 trustee's report or accounting or compel a trustee to report or account;
 313 (6) direct a trustee to refrain from performing a particular act or grant
 314 to a trustee any necessary or desirable power; (7) review the actions of
 315 a trustee, including the exercise of a discretionary power; (8) accept the
 316 resignation of a trustee; (9) appoint or remove a trustee; (10) determine
 317 a trustee's compensation; (11) transfer a trust's principal place of
 318 administration or a trust's property to another jurisdiction; (12)
 319 determine the liability of a trustee for an action relating to the trust and
 320 compel redress of a breach of trust by any available remedy; (13)
 321 modify or terminate a trust; (14) combine trusts or divide a trust; (15)
 322 determine liability of a trust for debts of a beneficiary and living

323 settlor; or (16) determine liability of a trust for debts, expenses of
324 administration and statutory allowances chargeable against the estate
325 of a deceased settlor.

326 Sec. 13. (NEW) (*Effective January 1, 2007*) (a) By accepting the
327 trusteeship of a trust having its principal place of administration in this
328 state, or by moving the principal place of administration to this state,
329 the trustee submits personally to the jurisdiction of the courts of this
330 state regarding any matter involving the trust.

331 (b) With respect to their interests in the trust, the beneficiaries of a
332 trust having its principal place of administration in this state are
333 subject to the jurisdiction of the courts of this state regarding any
334 matter involving the trust. By accepting a distribution from such a
335 trust, the recipient submits personally to the jurisdiction of the courts
336 of this state regarding any matter involving the trust.

337 (c) This section does not preclude other methods of obtaining
338 jurisdiction over a trustee, beneficiary or other person receiving
339 property from the trust.

340 Sec. 14. (NEW) (*Effective January 1, 2007*) (a) The Probate Court has
341 exclusive jurisdiction of proceedings in this state concerning the
342 interim and final accounts of testamentary trustees.

343 (b) The Probate Court and the Superior Court have concurrent
344 jurisdiction of all other proceedings involving a testamentary or inter
345 vivos trust.

346 Sec. 15. (NEW) (*Effective January 1, 2007*) (a) Venue for a judicial
347 proceeding in the Superior Court shall be as provided in chapter 890 of
348 the general statutes.

349 (b) (1) Except as otherwise provided in subsection (c) of this section,
350 venue for a judicial proceeding in a court of probate involving an inter
351 vivos trust is, in the following order of priority: (A) In the district of
352 this state in which the trust's principal place of administration is or will

353 be located; (B) in the district of this state where any trustee resides or
354 has a principal place of business; or (C) in the district of this state
355 where the settlor's estate was or is being administered.

356 (2) Except as otherwise provided in subsection (c) of this section,
357 venue for a judicial proceeding involving a testamentary trust is in the
358 district of this state in which the trust's principal place of
359 administration is located.

360 (c) (1) If an inter vivos trust has no trustee, venue for a judicial
361 proceeding for the appointment of a trustee shall be, in the following
362 order of priority: (A) In a district of this state in which a beneficiary
363 resides; (B) in a district of this state in which any trust property is
364 located; or (C) in the district of this state in which the trust's principal
365 place of administration is located.

366 (2) If a testamentary trust has no trustee, venue for a judicial
367 proceeding for the appointment of a trustee shall be in the district of
368 this state in which the trust's principal place of administration is
369 located.

370 (d) A judicial proceeding other than one described in subsection (b)
371 or (c) of this section shall be commenced in accordance with the rules
372 of venue applicable to civil actions.

373 Sec. 16. (NEW) (*Effective January 1, 2007*) (a) Notice to a person who
374 may represent and bind another person under sections 16 to 20,
375 inclusive, of this act has the same effect as if notice were given directly
376 to such other person.

377 (b) The consent of a person who may represent and bind another
378 person under sections 16 to 20, inclusive, of this act is binding on the
379 person represented unless the person represented objects to the
380 representation before the consent would otherwise have become
381 effective.

382 (c) Except as otherwise provided in sections 31 and 47 of this act, a

383 person who, pursuant to sections 16 to 20, inclusive, of this act may
384 represent a settlor who lacks capacity may receive notice and give a
385 binding consent on the settlor's behalf.

386 (d) A settlor may not represent or bind a beneficiary under sections
387 16 to 20, inclusive, of this act with respect to the termination or
388 modification of a trust under subsection (a) of section 31 of this act.

389 (e) Notwithstanding any provision of the general statutes, sections
390 16 to 20, inclusive, of this act shall apply to all judicial proceedings and
391 all nonjudicial settlements, agreements or actions under sections 1 to
392 86, inclusive, of this act and under any other provisions of the general
393 statutes pertaining to trust matters.

394 (f) For the purposes of this section, "represent" shall not be
395 construed to permit a person who has not been admitted as an
396 attorney pursuant to section 51-80 of the general statutes to serve as
397 legal counsel for any other person in any matter arising under sections
398 1 to 86, inclusive, of this act.

399 Sec. 17. (NEW) (*Effective January 1, 2007*) To the extent there is no
400 conflict of interest between the holder of a power of appointment and
401 the persons represented with respect to the particular question or
402 dispute: (1) The sole holder or all coholders of any power of
403 appointment, whether or not presently exercisable, shall represent the
404 potential appointees; and (2) the sole holder or all coholders of a power
405 of revocation or a general power of appointment, including one in the
406 form of a power of amendment, shall also represent the takers in
407 default of the exercise thereof.

408 Sec. 18. (NEW) (*Effective January 1, 2007*) To the extent there is no
409 conflict of interest between the representative and the person
410 represented or among those being represented with respect to a
411 particular question or dispute: (1) A conservator may represent and
412 bind the estate that the conservator controls; (2) a guardian may
413 represent and bind the ward if a conservator of the ward's estate has

414 not been appointed; (3) an agent having authority to do so may
415 represent and bind the principal; (4) a trustee may represent and bind
416 the beneficiaries of the trust; (5) an executor or administrator of a
417 decedent's estate may represent and bind persons interested in the
418 estate; and (6) if a conservator or guardian has not been appointed, a
419 parent may represent and bind the parent's minor or unborn child.

420 Sec. 19. (NEW) (*Effective January 1, 2007*) Unless otherwise
421 represented, a minor, an incapacitated or unborn individual, or a
422 person whose identity or location is unknown and not reasonably
423 ascertainable, may be represented by and bound by another person
424 having a substantially identical interest with respect to the particular
425 question or dispute, but only to the extent there is no conflict of
426 interest between the representative and the person being represented.

427 Sec. 20. (NEW) (*Effective January 1, 2007*) (a) If the court determines
428 that an interest is not represented pursuant to sections 16 to 20,
429 inclusive, of this act, or that the otherwise available representation
430 might be inadequate, the court may appoint a guardian ad litem to
431 receive notice, give consent, and otherwise represent, bind and act on
432 behalf of a minor, an incapacitated or unborn individual, or a person
433 whose identity or location is unknown. A guardian ad litem may be
434 appointed to represent several persons or interests.

435 (b) A guardian ad litem may act on behalf of the individual
436 represented with respect to any matter arising under sections 1 to 86,
437 inclusive, of this act, whether or not a judicial proceeding concerning
438 the trust is pending.

439 (c) In making decisions in any matter, a guardian ad litem may
440 consider general benefit accruing to the living members of the
441 individual's family.

442 Sec. 21. (NEW) (*Effective January 1, 2007*) A trust may be created by:
443 (1) Transfer of property to another person as trustee during the
444 settlor's lifetime or by will or other disposition taking effect upon the

445 settlor's death; (2) declaration by the owner of property that the owner
446 holds identifiable property as trustee; (3) exercise of a power of
447 appointment in favor of a trustee; or (4) transfer of property pursuant
448 to a statute or judgment that requires property to be administered in
449 the manner of an express trust, including, but not limited to, a trust
450 created by the guardian of the estate of a minor or by the conservator
451 of an estate, or a trust described in 42 USC 1396p(d)(4), as from time to
452 time amended.

453 Sec. 22. (NEW) (*Effective January 1, 2007*) (a) A trust is created only if:
454 (1) The settlor has capacity to create a trust; (2) the settlor indicates an
455 intention to create the trust; (3) the trust has a definite beneficiary or is
456 (A) a charitable trust, (B) a trust for the care of an animal, as provided
457 in section 28 of this act, or (C) a trust for a noncharitable purpose, as
458 provided in section 29 of this act; and (4) the trustee has duties to
459 perform.

460 (b) A beneficiary is definite if the beneficiary can be ascertained now
461 or in the future, subject to any applicable rule against perpetuities.

462 (c) A power in a trustee to select a beneficiary from an indefinite
463 class is valid. If the power is not exercised within a reasonable time,
464 the power fails and the property subject to the power passes to the
465 persons who would have taken the property had the power not been
466 conferred.

467 Sec. 23. (NEW) (*Effective January 1, 2007*) An inter vivos trust is
468 validly created if its creation complies with the law of the jurisdiction
469 in which the trust instrument was executed, or the law of the
470 jurisdiction in which, at the time of creation: (1) The settlor was
471 domiciled, had a place of abode or was a national; (2) a trustee was
472 domiciled or had a place of business; or (3) any trust property was
473 located.

474 Sec. 24. (NEW) (*Effective January 1, 2007*) A trust may be created only
475 to the extent its purposes are lawful, not contrary to public policy and

476 possible to achieve.

477 Sec. 25. (NEW) (*Effective January 1, 2007*) (a) A charitable trust may
478 be created for the relief of poverty, the advancement of education or
479 religion, the promotion of health, governmental or municipal purposes
480 or other purposes the achievement of which is beneficial to the
481 community.

482 (b) If the terms of a charitable trust do not indicate a particular
483 charitable purpose or beneficiary, the court may select one or more
484 charitable purposes or beneficiaries. The selection shall be consistent
485 with the settlor's intention to the extent it can be ascertained.

486 (c) The settlor of a charitable trust, among others, may maintain a
487 proceeding to enforce the trust.

488 Sec. 26. (NEW) (*Effective January 1, 2007*) A trust is void to the extent
489 its creation was induced by fraud, duress or undue influence.

490 Sec. 27. (NEW) (*Effective January 1, 2007*) Except as required by any
491 provision of the general statutes other than sections 1 to 86, inclusive,
492 of this act, a trust need not be evidenced by a trust instrument, but the
493 creation of an oral trust and its terms may be established only by clear
494 and convincing evidence.

495 Sec. 28. (NEW) (*Effective January 1, 2007*) (a) A trust may be created
496 to provide for the care of an animal alive during the settlor's lifetime.
497 The trust terminates upon the death of the animal or, if the trust was
498 created to provide for the care of more than one animal alive during
499 the settlor's lifetime, upon the death of the last surviving animal.

500 (b) A trust authorized by this section may be enforced by a person
501 appointed in the terms of the trust or, if no person is so appointed, by a
502 person appointed by the court. A person having an interest in the
503 welfare of the animal may request the court to appoint a person to
504 enforce the trust or to remove a person appointed.

505 (c) Property of a trust authorized by this section may be applied
506 only to its intended use, except to the extent the court determines that
507 the value of the trust property exceeds the amount required for the
508 intended use. Except as otherwise provided in the terms of the trust,
509 property not required for the intended use shall be distributed to the
510 settlor, if then living, otherwise to the settlor's successors in interest.

511 Sec. 29. (NEW) (*Effective January 1, 2007*) Except as provided by
512 section 28 of this act or by any provision of the general statutes, the
513 following rules apply:

514 (1) A trust may be created for a noncharitable purpose without a
515 definite or definitely ascertainable beneficiary or for a noncharitable
516 but otherwise valid purpose to be selected by the trustee. The trust
517 may not be enforced for more than ninety years.

518 (2) A trust authorized by this section may be enforced by a person
519 appointed in the terms of the trust or, if no person is so appointed, by a
520 person appointed by the court.

521 (3) Property of a trust authorized by this section may be applied
522 only to its intended use, except to the extent the court determines that
523 the value of the trust property exceeds the amount required for the
524 intended use. Except as otherwise provided in the terms of the trust,
525 property not required for the intended use shall be distributed to the
526 settlor, if then living, otherwise to the settlor's successors in interest.

527 Sec. 30. (NEW) (*Effective January 1, 2007*) (a) In addition to the
528 methods of termination prescribed by sections 31 to 34, inclusive, of
529 this act, a trust terminates to the extent the trust is revoked or expires
530 pursuant to its terms, no purpose of the trust remains to be achieved,
531 or the purposes of the trust have become unlawful or impossible to
532 achieve.

533 (b) A proceeding to approve or disapprove a proposed modification
534 or termination under sections 31 to 36, inclusive, of this act, or trust

535 combination or division under section 37 of this act, may be
 536 commenced by a trustee or beneficiary. A proceeding to approve or
 537 disapprove a proposed modification or termination under section 31 of
 538 this act, may be commenced by the settlor. The settlor of a charitable
 539 trust may maintain a proceeding to modify the trust under section 33
 540 of this act.

541 Sec. 31. (NEW) (*Effective January 1, 2007*) (a) If, upon petition, the
 542 court finds that the settlor and all beneficiaries consent to the
 543 modification or termination of a noncharitable irrevocable trust, the
 544 court may approve the modification or termination even if the
 545 modification or termination is inconsistent with a material purpose of
 546 the trust. A settlor's power to consent to a trust's modification or
 547 termination may be exercised by (1) an agent pursuant to a power of
 548 attorney only to the extent expressly authorized by the power of
 549 attorney or the terms of the trust, (2) the settlor's conservator with the
 550 approval of the court supervising the conservatorship if an agent is not
 551 so authorized, or (3) the settlor's guardian with the approval of the
 552 court supervising the guardianship, if an agent is not so authorized
 553 and a conservator has not been appointed. This subsection does not
 554 apply to irrevocable trusts created before or to revocable trusts that
 555 become irrevocable before the effective date of this section.

556 (b) A noncharitable irrevocable trust may be terminated or modified
 557 upon consent of all of the beneficiaries if the court concludes that the
 558 termination or modification is not inconsistent with a material purpose
 559 of the trust and the probable intent of the settlor.

560 (c) For the purposes of this section, a spendthrift provision in the
 561 terms of the trust is not presumed to constitute a material purpose of
 562 the trust. In determining whether a spendthrift provision is a material
 563 purpose of a trust for purposes of modification or termination of the
 564 trust, the court shall consider the settlor's intent and the facts and
 565 circumstances surrounding the creation of the trust.

566 (d) Upon termination of a trust pursuant to subsections (a) or (b) of

567 this section, the trustee shall distribute the trust property as agreed by
568 the parties consenting to the termination of the trust.

569 (e) If not all of the beneficiaries consent to a proposed modification
570 or termination of the trust pursuant to subsections (a) or (b) of this
571 section, the modification or termination may be approved by the court
572 if the court is satisfied that: (1) If all of the beneficiaries had consented,
573 the trust could have been modified or terminated under this section;
574 and (2) the interests of a beneficiary who does not consent will be
575 adequately protected.

576 Sec. 32. (NEW) (*Effective January 1, 2007*) (a) The court may modify
577 the administrative or dispositive terms of a trust or terminate the trust
578 if, because of circumstances not anticipated by the settlor, modification
579 or termination will further the purposes of the trust. To the extent
580 practicable, the modification shall be made in accordance with the
581 settlor's probable intention.

582 (b) The court may modify the administrative terms of a trust if
583 continuation of the trust on its existing terms would be impracticable
584 or wasteful or impair the trust's administration.

585 (c) Upon termination of a trust under this section, the trustee shall
586 distribute the trust property in a manner consistent with the purposes
587 of the trust.

588 Sec. 33. (NEW) (*Effective January 1, 2007*) (a) Except as otherwise
589 provided in subsection (b) of this section, if a particular charitable
590 purpose becomes unlawful, impracticable, impossible to achieve or
591 wasteful: (1) The trust does not fail, in whole or in part; (2) the trust
592 property does not revert to the settlor or the settlor's successors in
593 interest; and (3) the court may apply cy pres to modify or terminate the
594 trust by directing that the trust property be applied or distributed, in
595 whole or in part, in a manner consistent with the settlor's charitable
596 purposes.

597 (b) A provision in the terms of a charitable trust that would result in
598 distribution of the trust property to a noncharitable beneficiary
599 prevails over the power of the court under subsection (a) of this section
600 to apply cy pres to modify or terminate the trust only if, when the
601 provision takes effect: (1) The trust property is to revert to the settlor
602 and the settlor is still living; or (2) fewer than twenty-one years have
603 elapsed since the date of the trust's creation.

604 Sec. 34. (NEW) (*Effective January 1, 2007*) (a) If trust property has a
605 total value less than fifty thousand dollars and after notice to the
606 qualified beneficiaries, the trustee of a testamentary noncharitable trust
607 who obtains court approval, or the trustee of an inter vivos
608 noncharitable trust, with or without court approval, may terminate the
609 trust if such trustee concludes that the termination is not inconsistent
610 with the probable intent of the settlor and the value or character of the
611 trust property is insufficient or inappropriate to justify the cost of
612 administration.

613 (b) The court may modify or terminate a trust or remove the trustee
614 and appoint a different trustee if it determines that the value or
615 character of the trust property is insufficient or inappropriate to justify
616 the cost of administration.

617 (c) Upon termination of a trust under this section, the trustee shall
618 distribute the trust property in a manner consistent with the purposes
619 of the trust.

620 (d) This section does not apply to an easement for conservation or
621 preservation.

622 Sec. 35. (NEW) (*Effective January 1, 2007*) The court may reform the
623 terms of a trust, even if unambiguous, to conform the terms to the
624 settlor's intention if it is proven by clear and convincing evidence that
625 both the settlor's intent and the terms of the trust were affected by a
626 mistake of fact or law, whether in expression or inducement.

627 Sec. 36. (NEW) (*Effective January 1, 2007*) To achieve the settlor's tax
628 objectives, the court may modify the terms of a trust in a manner that
629 is not contrary to the settlor's probable intention. The court may
630 provide that the modification has retroactive effect.

631 Sec. 37. (NEW) (*Effective January 1, 2007*) After notice to the qualified
632 beneficiaries, a trustee may combine two or more trusts into a single
633 trust or divide a trust into two or more separate trusts, if the result
634 does not impair rights of any beneficiary or adversely affect
635 achievement of the purposes of the trust.

636 Sec. 38. (NEW) (*Effective January 1, 2007*) To the extent a beneficiary's
637 interest is not subject to a spendthrift provision, except as otherwise
638 provided in sections 38 to 45, inclusive, of this act, the court may
639 authorize a creditor or assignee of the beneficiary to reach the
640 beneficiary's interest by attachment of present or future distributions
641 to or for the benefit of the beneficiary. The court may limit the award
642 to such relief as is appropriate under the circumstances, provided, the
643 court may not grant relief beyond the attachment of present or future
644 distributions.

645 Sec. 39. (NEW) (*Effective January 1, 2007*) (a) A spendthrift provision
646 is valid only if it restrains both voluntary and involuntary transfer of a
647 beneficiary's interest. A provision in the terms of the trust permitting
648 the voluntary transfer of a beneficiary's interest, but only with the
649 consent of another person or entity, including the trustee, specified in
650 the terms of the trust, shall be deemed to be an acceptable restraint on
651 voluntary transfer.

652 (b) A term of a trust providing that the interest of a beneficiary is
653 held subject to a "spendthrift trust", or words of similar import, is
654 sufficient to restrain both voluntary and involuntary transfer of the
655 beneficiary's interest.

656 (c) A beneficiary may not transfer an interest in a trust in violation
657 of a valid spendthrift provision and, except as otherwise provided in

658 sections 38 to 45, inclusive, of this act, a creditor or assignee of the
659 beneficiary may not reach the interest or a distribution by the trustee
660 before its receipt by the beneficiary.

661 (d) A spendthrift provision is valid even though a beneficiary is
662 named as the sole trustee or as a cotrustee of the trust.

663 (e) A spendthrift provision is enforceable against the beneficiary's
664 former spouse.

665 Sec. 40. (NEW) (*Effective January 1, 2007*) (a) For the purposes of this
666 section, "child" includes any person for whom an order or judgment
667 for child support has been entered in this or another state.

668 (b) Even if a trust contains a spendthrift provision, a beneficiary's
669 child who has a judgment or court order against the beneficiary for
670 support or maintenance may obtain from a court an order attaching
671 present or future distributions to or for the benefit of the beneficiary,
672 but only if distributions can be made for the beneficiary's support
673 under the terms of the trust.

674 Sec. 41. (NEW) (*Effective January 1, 2007*) (a) For the purposes of this
675 section, "child" includes any person for whom an order or judgment
676 for child support has been entered in this or another state.

677 (b) Except as otherwise provided in subsection (c) of this section,
678 whether or not a trust contains a spendthrift provision, a creditor of a
679 beneficiary may not compel a distribution that is subject to the trustee's
680 discretion, even if: (1) The discretion is expressed in the form of a
681 standard of distribution; or (2) the trustee has abused the discretion.

682 (c) To the extent a trustee has not complied with a standard of
683 distribution or has abused a discretion: (1) A distribution may be
684 ordered by the court to satisfy a judgment or court order against the
685 beneficiary for support or maintenance of the beneficiary's child; and
686 (2) the court may direct the trustee to pay to the child only such
687 amount as is equitable under the circumstances, but in no event more

688 than the amount the trustee would have been required to distribute to
689 or for the benefit of the beneficiary had the trustee complied with the
690 standard or not abused the discretion.

691 (d) This section does not limit the right of a beneficiary to maintain a
692 judicial proceeding against a trustee for an abuse of discretion or
693 failure to comply with a standard for distribution.

694 (e) With respect to the powers set forth in section 45 of this act, the
695 provisions of this section shall apply even though the beneficiary is the
696 sole trustee or a cotrustee of the trust.

697 Sec. 42. (NEW) (*Effective January 1, 2007*) (a) Whether or not the
698 terms of a trust contain a spendthrift provision, the following rules
699 apply:

700 (1) During the lifetime of the settlor, the property of a revocable
701 trust is subject to claims of the settlor's creditors.

702 (2) With respect to an irrevocable trust, a creditor or assignee of the
703 settlor may reach the maximum amount that can be distributed to or
704 for the benefit of the settlor. If a trust has more than one settlor, the
705 amount the creditor or assignee of a particular settlor may reach may
706 not exceed the settlor's interest in the portion of the trust attributable to
707 such settlor's contribution.

708 (3) With respect to a trust created pursuant to 42 USC
709 1396p(d)(4)(A) or (C), as from time to time amended, the court may
710 limit the award to a creditor of the settlor under subdivision (1) or (2)
711 of this subsection to such relief as is appropriate under the
712 circumstances, considering, among any other factors determined to be
713 appropriate by the court, the supplemental needs of the beneficiary.

714 (4) After the death of a settlor, and subject to the settlor's right to
715 direct the source from which liabilities will be paid, except as
716 otherwise provided in section 45a-472 of the general statutes, the
717 property of a trust that was revocable at the settlor's death is subject to

718 claims of the settlor's creditors, costs of administration of the settlor's
719 estate, the expenses of the settlor's funeral and disposal of remains,
720 and the allowance to a surviving spouse or family as provided in
721 section 45a-320 of the general statutes to the extent the settlor's probate
722 estate is inadequate to satisfy such claims, costs, expenses and
723 allowance.

724 (b) With respect to claims, expenses and taxes in connection with
725 the settlement of a trust that was revocable at the settlor's death, the
726 following rules apply:

727 (1) Any claim of a creditor that would be barred against the
728 fiduciary of a decedent's estate, the estate of the decedent or any
729 creditor or beneficiary of the decedent's estate, shall be barred against
730 the trustee, the trust property and the creditors and beneficiaries of the
731 trust.

732 (2) The trustee may use the optional notice procedures set forth in
733 section 45a-357 of the general statutes and, upon the trustee's
734 compliance with such procedures, any person notified in accordance
735 with said section shall be forever barred from asserting or recovering
736 on any claim such person may have from the trustee, the trust
737 property or any creditor or beneficiary of the trust.

738 (3) The provisions of section 45a-365 of the general statutes
739 concerning the order of payment of claims, expenses and taxes shall
740 apply to the settlement of the revocable trust.

741 (4) If any claim is not presented in writing to the fiduciary of the
742 settlor's estate or the trustee within one hundred fifty days from the
743 date of the appointment of the first fiduciary of the settlor's estate or, if
744 no fiduciary is so appointed, within one hundred fifty days from the
745 date of the settlor's death, no trustee shall be chargeable for any assets
746 that a trustee may have paid or distributed in good faith in satisfaction
747 of any lawful claims, expenses or taxes or to any beneficiary before
748 such claim was presented. A payment or distribution of assets by a

749 trustee shall be deemed to have been made in good faith unless the
 750 creditor can prove that the trustee had actual knowledge of such claim
 751 at the time of such payment or distribution. Such one-hundred-fifty-
 752 day period shall not be interrupted or affected by the death,
 753 resignation or removal of a trustee, except that the time during which
 754 there is no fiduciary in office shall not be counted as part of such
 755 period.

756 (c) For the purposes of this section:

757 (1) Except as otherwise provided in section 45 of this act, during the
 758 period the power may be exercised, the holder of a power of
 759 withdrawal is treated in the same manner as the settlor of a revocable
 760 trust to the extent of the property subject to the power; and

761 (2) Upon the lapse, release or waiver of the power, the holder is
 762 treated as the settlor of the trust only to the extent the value of the
 763 property affected by the lapse, release or waiver exceeds the greater of
 764 the amount specified in Section 2041(b)(2) or 2514(e) of the Internal
 765 Revenue Code of 1986, and the regulations thereunder, or Section
 766 2503(b) of the Internal Revenue Code of 1986, and the regulations
 767 thereunder, in each case as in effect on the effective date of this section.

768 Sec. 43. (NEW) (*Effective January 1, 2007*) Except as otherwise
 769 provided in section 45 of this act, whether or not a trust contains a
 770 spendthrift provision, a creditor or assignee of a beneficiary may reach
 771 a mandatory distribution of income or principal, including a
 772 distribution upon termination of the trust, if the trustee has not made
 773 the distribution to the beneficiary within a reasonable time after the
 774 mandated distribution date.

775 Sec. 44. (NEW) (*Effective January 1, 2007*) Trust property is not
 776 subject to personal obligations of the trustee, even if the trustee
 777 becomes insolvent or bankrupt.

778 Sec. 45 (NEW) (*Effective January 1, 2007*) (a) For all purposes under

779 sections 38 to 45, inclusive, of this act, whether or not a trust contains a
780 spendthrift provision, a creditor of a beneficiary, other than the settlor
781 if the settlor is a beneficiary of the trust, may not attach or compel a
782 distribution of property that is subject:

783 (1) To a power of withdrawal held by the beneficiary if the value of
784 the property subject to the power does not exceed the greater of the
785 amount specified in Section 2041(b)(2) or 2514(e) of the Internal
786 Revenue Code of 1986, and the regulations thereunder, or Section
787 2503(b) of the Internal Revenue Code of 1986, and the regulations
788 thereunder, in each case as in effect on the effective date of this section;

789 (2) Except as otherwise provided in subsection (c) of section 41 of
790 this act, to a power, whether mandatory or discretionary, held by the
791 trustee of the trust, including a power held by the beneficiary as the
792 sole trustee or a cotrustee of the trust, to make distributions to or for
793 the benefit of the beneficiary, if the power is exercisable by the trustee
794 only in accordance with an ascertainable standard relating to such
795 beneficiary's individual health, education, support or maintenance
796 within the meaning of Section 2041(b)(1)(A) or Section 2514(c)(1) of the
797 Internal Revenue Code of 1986, and the regulations thereunder, as in
798 effect on the effective date of this section; or

799 (3) To a power, whether mandatory or discretionary, held by the
800 trustee of the trust, including a power held by the beneficiary as the
801 sole trustee or a cotrustee of the trust, to make distributions to or for
802 the benefit of a person who the beneficiary has an obligation to
803 support, if the power is exercisable by the trustee only in accordance
804 with an ascertainable standard relating to such person's individual
805 health, education, support or maintenance within the meaning of
806 Section 2041(b)(1)(A) or Section 2514(c)(1) of the Internal Revenue
807 Code of 1986, and the regulations thereunder, as in effect on the
808 effective date of this section.

809 (b) A beneficiary holding a power set forth in subsection (a) of this
810 section shall not, during the period the power may be exercised or

811 upon the lapse, release or waiver of the power, be treated as a settlor of
812 the trust.

813 Sec. 46. (NEW) (*Effective January 1, 2007*) The capacity required to
814 create, amend, revoke or add property to a revocable trust, or to direct
815 the actions of the trustee of a revocable trust, is the same as that
816 required to make a will.

817 Sec. 47. (NEW) (*Effective January 1, 2007*) (a) Unless the terms of a
818 trust expressly provide that the trust is irrevocable, the settlor may
819 revoke or amend the trust. This subsection does not apply to a trust
820 created under an instrument executed before the effective date of this
821 section.

822 (b) If a revocable trust is created or funded by more than one settlor:
823 (1) To the extent the trust consists of community property, the trust
824 may be revoked by either spouse acting alone, but may be amended
825 only by joint action of both spouses; and (2) to the extent the trust
826 consists of property other than community property, each settlor may
827 revoke or amend the trust with regard to the portion of the trust
828 property attributable to such settlor's contribution.

829 (c) (1) The settlor may revoke or amend a revocable trust by
830 substantial compliance with a method provided in the terms of the
831 trust.

832 (2) If the terms of the trust do not provide a method, or the method
833 provided in the terms is not expressly made exclusive, the settlor may
834 revoke or amend a revocable trust by (A) executing a later will or
835 codicil that has been admitted to probate and that expressly refers to
836 the trust or expressly devises specifically identified items of real or
837 personal property that would otherwise have passed according to the
838 terms of the trust, or (B) any other method manifesting clear and
839 convincing evidence of the settlor's intent, provided (i) a written
840 revocable trust may only be amended by a later written instrument,
841 and (ii) a written revocable trust may only be revoked by a later

842 written instrument or by the burning, cancellation, tearing or
843 obliteration of the revocable trust by the settlor or by some person in
844 the settlor's presence and at the settlor's direction.

845 (d) Upon revocation of a revocable trust, the trustee shall deliver the
846 trust property as the settlor directs.

847 (e) A settlor's powers with respect to revocation, amendment or
848 distribution of trust property may be exercised by an agent under a
849 power of attorney only to the extent expressly authorized by the terms
850 of the trust or the power of attorney.

851 (f) Unless expressly prohibited by the terms of the trust, a
852 conservator of the settlor may exercise a settlor's powers with respect
853 to revocation, amendment or distribution of trust property with the
854 approval of the court supervising the conservatorship.

855 (g) A trustee who does not know that a trust has been revoked or
856 amended is not liable to the settlor or settlor's successors in interest for
857 distributions made and other actions taken on the assumption that the
858 trust had not been amended or revoked.

859 (h) A trust created pursuant to 42 USC 1396p(d)(4), as from time to
860 time amended, is irrevocable if the terms of the trust prohibit the
861 settlor from revoking it, even if the settlor's estate or the settlor's heirs
862 at law are named as the remainder beneficiary of the trust upon the
863 settlor's death.

864 Sec. 48. (NEW) (*Effective January 1, 2007*) (a) While a trust is
865 revocable and the settlor has capacity to revoke the trust, rights of the
866 beneficiaries are subject to the control of, and the duties of the trustee
867 are owed exclusively to, the settlor.

868 (b) If a revocable trust has more than one settlor, the duties of the
869 trustee are owed to all of the settlors having capacity to revoke the
870 trust.

871 (c) During the period the power may be exercised, the holder of a
872 power of withdrawal has the rights of a settlor of a revocable trust
873 under this section to the extent of the property subject to the power.

874 Sec. 49. (NEW) (*Effective January 1, 2007*) (a) A person may
875 commence a judicial proceeding to contest the validity of a trust that
876 was revocable at the settlor's death within the earlier of:

877 (1) Two years after the settlor's death; or

878 (2) One hundred fifty days after the trustee sent the person a copy of
879 the trust instrument and a notice informing the person of the trust's
880 existence, of the trustee's name and address, and of the time allowed
881 for commencing a proceeding. The trustee shall have the right to
882 provide the documentation and information set forth in this
883 subdivision to (A) all persons who would be entitled to notice of the
884 application for probate of a will or administration of an intestate estate
885 or to notice of the admission of a will to probate or the granting of
886 letters of administration, and (B) all persons whose interests are, in the
887 opinion of the trustee, adversely affected by the trust.

888 (b) Upon the death of the settlor of a trust that was revocable at the
889 settlor's death, the trustee may proceed to distribute the trust property
890 in accordance with the terms of the trust. The trustee is not subject to
891 liability for doing so unless: (1) The trustee knows of a pending judicial
892 proceeding contesting the validity of the trust; (2) a potential
893 contestant has notified the trustee of a possible judicial proceeding to
894 contest the trust and a judicial proceeding is commenced within sixty
895 days after the contestant sent the notification; or (3) the trustee failed to
896 give notice to the qualified or current beneficiaries in accordance with
897 section 67 of this act.

898 (c) A beneficiary of a trust that is determined to have been invalid is
899 liable to return any distribution received.

900 Sec. 50. (NEW) (*Effective January 1, 2007*) (a) Except as otherwise

901 provided in subsection (c) of this section, a person designated as
902 trustee accepts the trusteeship: (1) By substantially complying with a
903 method of acceptance provided in the terms of the trust; (2) if the terms
904 of the trust do not provide a method or the method provided in the
905 terms is not expressly made exclusive, by accepting delivery of the
906 trust property, exercising powers or performing duties as trustee, or
907 otherwise indicating acceptance of the trusteeship; or (3) in the case of
908 a testamentary trust, filing an acceptance of trust in the court with
909 jurisdiction over the trust.

910 (b) A person designated as trustee who has not yet accepted the
911 trusteeship may reject the trusteeship. A designated trustee who does
912 not accept the trusteeship within a reasonable time after knowing of
913 the designation is deemed to have rejected the trusteeship.

914 (c) A person designated as trustee, without accepting the
915 trusteeship, may: (1) Act to preserve the trust property if, within a
916 reasonable time after acting, the person sends a rejection of the
917 trusteeship to the settlor or, if the settlor is dead or lacks capacity, to a
918 qualified beneficiary; and (2) inspect or investigate trust property to
919 determine potential liability under state or federal environmental or
920 other law or for any other purpose.

921 (d) A testamentary trustee that is a foreign corporation shall also
922 comply with section 45a-206 of the general statutes.

923 Sec. 51. (NEW) (*Effective January 1, 2007*) (a) A trustee shall give
924 bond to secure performance of the trustee's duties only if the court
925 finds that a bond is needed to protect the interests of the beneficiaries
926 or is required by the terms of the trust and the court has not dispensed
927 with the requirement.

928 (b) The court may specify the amount of a bond, its liabilities, and
929 whether sureties are necessary. The court may modify or terminate a
930 bond at any time.

931 Sec. 52. (NEW) (*Effective January 1, 2007*) (a) Cotrustees who are
932 unable to reach a unanimous decision may act by majority decision.

933 (b) If a vacancy occurs in a cotrusteeship, the remaining cotrustees
934 may act for the trust.

935 (c) A cotrustee shall participate in the performance of a trustee's
936 function unless the cotrustee is unavailable to perform the function
937 because of absence, illness, disqualification under other law or other
938 temporary incapacity or the cotrustee has properly delegated the
939 performance of the function to another trustee.

940 (d) If a cotrustee is unavailable to perform duties because of
941 absence, illness, disqualification under other law or other temporary
942 incapacity, and prompt action is necessary to achieve the purposes of
943 the trust or to avoid injury to the trust property, the remaining
944 cotrustee or a majority of the remaining cotrustees may act for the
945 trust.

946 (e) A trustee may delegate to a cotrustee the performance of any
947 function other than a function that the terms of the trust expressly
948 require to be performed by the trustees jointly. Unless a delegation
949 was irrevocable, a delegating trustee may revoke a delegation
950 previously made.

951 (f) Except as otherwise provided in subsection (g) of this section, a
952 trustee who does not join in an action of another trustee is not liable for
953 the action.

954 (g) Each trustee shall exercise reasonable care to: (1) Prevent a
955 cotrustee from committing a serious breach of trust; and (2) compel a
956 cotrustee to redress a serious breach of trust.

957 (h) A dissenting trustee who joins in an action at the direction of the
958 majority of the trustees and who notified any cotrustee of the dissent at
959 or before the time of the action is not liable for the action unless the
960 action is a serious breach of trust.

961 Sec. 53. (NEW) (*Effective January 1, 2007*) (a) A vacancy in a
962 trusteeship occurs if: (1) A person designated as trustee rejects the
963 trusteeship; (2) a person designated as trustee cannot be identified or
964 does not exist; (3) a trustee resigns; (4) a trustee is disqualified or
965 removed; (5) a trustee dies; or (6) a conservator is appointed for an
966 individual serving as trustee.

967 (b) If one or more cotrustees remain in office, a vacancy in a
968 trusteeship need not be filled, unless otherwise required by the terms
969 of the trust. A vacancy in a trusteeship shall be filled if the trust has no
970 remaining trustee.

971 (c) A vacancy in a trusteeship required to be filled shall be filled in
972 the following order of priority: (1) By a person designated in the terms
973 of the trust to act as successor trustee or appointed according to a
974 procedure specified in such terms; (2) by a person appointed by
975 unanimous agreement of the qualified beneficiaries; (3) in the case of
976 an inter vivos charitable trust, by a person selected by the charitable
977 organizations expressly designated to receive distributions under the
978 terms of the trust; or (4) by a person appointed by the court.

979 (d) Whether or not a vacancy in a trusteeship exists or is required to
980 be filled, the court may appoint an additional trustee or special
981 fiduciary whenever the court considers the appointment necessary for
982 the administration of the trust.

983 Sec. 54. (NEW) (*Effective January 1, 2007*) (a) A trustee of an inter
984 vivos trust may resign without court approval upon at least thirty days
985 notice to either: (1) The qualified beneficiaries, the settlor, if living, and
986 all cotrustees; or (2) the court.

987 (b) A trustee of a testamentary trust may resign: (1) Without court
988 approval upon at least thirty days notice to the qualified beneficiaries
989 and the court; or (2) with the approval of the court.

990 (c) In approving a resignation pursuant to subdivision (2) of

991 subsection (b) of this section, the court may issue orders and impose
992 conditions reasonably necessary for the protection of the trust
993 property, the beneficiaries and the other trustees, and may issue such
994 other orders as law and equity may require.

995 (d) Any liability of a resigning trustee or of any sureties on such
996 trustee's bond for acts or omissions of such trustee is not discharged or
997 affected by such trustee's resignation.

998 Sec. 55. (NEW) (*Effective January 1, 2007*) (a) The settlor, a cotrustee
999 or a beneficiary may request the court to remove a trustee, or a trustee
1000 may be removed by the court on its own initiative.

1001 (b) The court may remove a trustee if:

1002 (1) The trustee has committed a serious breach of trust;

1003 (2) Lack of cooperation among cotrustees substantially impairs the
1004 administration of the trust;

1005 (3) Because of unfitness, unwillingness, or persistent failure of the
1006 trustee to administer the trust effectively, the court determines that
1007 removal of the trustee best serves the interests of the beneficiaries; or

1008 (4) The trustee is not an individual appointed by the person who
1009 created the trust and (A) there has been a substantial change of
1010 circumstances or removal is requested by all of the qualified
1011 beneficiaries, (B) the court finds that removal of the trustee best serves
1012 the interests of all of the beneficiaries and is not inconsistent with a
1013 material purpose of the trust, and (C) a suitable cotrustee or successor
1014 trustee is available. A successor corporate fiduciary shall not be
1015 removed in such a manner as to discriminate against state banks or
1016 national banking associations. No consolidated state bank or national
1017 banking association and no receiving state bank or national banking
1018 association may be removed solely because it is a successor fiduciary,
1019 as defined in section 45a-245a of the general statutes.

1020 (c) Pending a final decision on a request to remove a trustee, or in
1021 lieu of or in addition to removing a trustee, the court may order
1022 appropriate relief under subsection (b) of section 72 of this act.

1023 Sec. 56. (NEW) (*Effective January 1, 2007*) (a) Unless a cotrustee
1024 remains in office or the court otherwise orders, and until the trust
1025 property is delivered to a successor trustee or other person entitled to
1026 it, a trustee who has resigned or been removed has the duties of a
1027 trustee and the powers necessary to protect the trust property.

1028 (b) A trustee who has resigned or been removed shall proceed
1029 expeditiously to deliver the trust property within the trustee's
1030 possession to the cotrustee, successor trustee or other person entitled
1031 to it.

1032 Sec. 57. (NEW) (*Effective January 1, 2007*) (a) If the terms of a trust do
1033 not specify the trustee's compensation, a trustee is entitled to
1034 compensation that is reasonable under the circumstances.

1035 (b) If the terms of a trust specify the trustee's compensation, the
1036 trustee is entitled to be compensated as specified, but the court may
1037 allow more or less compensation if: (1) The duties of the trustee are
1038 substantially different from those contemplated when the trust was
1039 created; or (2) the compensation specified by the terms of the trust
1040 would be unreasonably low or high.

1041 Sec. 58. (NEW) (*Effective January 1, 2007*) (a) A trustee is entitled to
1042 be reimbursed out of the trust property, with interest as appropriate,
1043 for: (1) Expenses that were properly incurred in the defense or
1044 administration of the trust, unless the trustee is determined to have
1045 committed a breach of trust; and (2) to the extent necessary to prevent
1046 unjust enrichment of the trust, expenses that were not properly
1047 incurred in the administration of the trust.

1048 (b) An advance by the trustee of money for the protection of the
1049 trust gives rise to a lien against trust property to secure reimbursement

1050 with reasonable interest.

1051 Sec. 59. (NEW) (*Effective January 1, 2007*) Upon acceptance of a
1052 trusteeship, the trustee shall administer the trust in good faith, in
1053 accordance with its terms and purposes, the intentions of the settlor
1054 and the interests of the beneficiaries, and in accordance with sections 1
1055 to 86, inclusive, of this act.

1056 Sec. 60. (NEW) (*Effective January 1, 2007*) (a) A trustee shall invest
1057 and manage the trust assets solely in the interests of the beneficiaries.

1058 (b) Subject to the rights of persons dealing with or assisting the
1059 trustee as provided in section 82 of this act, a sale, encumbrance or
1060 other transaction involving the investment or management of trust
1061 property entered into by the trustee for the trustee's own personal
1062 account or which is otherwise affected by a conflict between the
1063 trustee's fiduciary and personal interests is voidable by a beneficiary
1064 affected by the transaction unless: (1) The transaction was authorized
1065 by the terms of the trust; (2) the transaction was approved by the court;
1066 (3) the beneficiary did not commence a judicial proceeding within the
1067 time allowed by section 75 of this act; (4) the beneficiary consented to
1068 the trustee's conduct, ratified the transaction or released the trustee as
1069 provided in section 79 of this act; or (5) the transaction involves a
1070 contract entered into or claim acquired by the trustee before the person
1071 became or contemplated becoming trustee.

1072 (c) A sale, encumbrance or other transaction involving the
1073 investment or management of trust property is presumed to be
1074 affected by a conflict between personal and fiduciary interests if it is
1075 entered into by the trustee with: (1) The trustee's spouse; (2) the
1076 trustee's descendants, sibling, parents or their spouses; (3) an agent or
1077 attorney of the trustee; or (4) a corporation or other person or
1078 enterprise in which the trustee, or a person that owns a significant
1079 interest in the trustee, has an interest that might affect the trustee's best
1080 judgment.

1081 (d) A transaction between a trustee and a beneficiary that does not
1082 concern trust property but that occurs during the existence of the trust
1083 or while the trustee retains significant influence over the beneficiary
1084 and from which the trustee obtains an advantage is voidable by the
1085 beneficiary unless the trustee establishes that the transaction was fair
1086 to the beneficiary.

1087 (e) A transaction not concerning trust property in which the trustee
1088 engages in the trustee's individual capacity involves a conflict between
1089 personal and fiduciary interests if the transaction concerns an
1090 opportunity properly belonging to the trust.

1091 (f) (1) The following transactions are not presumed to be affected by
1092 a conflict of interest between a trustee's personal and fiduciary
1093 interests, provided the transaction and any investment made pursuant
1094 to the transaction complies with the Connecticut Uniform Prudent
1095 Investor Act, sections 45a-541 to 45a-541l, inclusive, of the general
1096 statutes: (A) An investment by a trustee in securities of an investment
1097 company or investment trust to which the trustee, or its affiliate,
1098 provides services in a capacity other than as trustee; (B) an investment
1099 by a trustee in an insurance contract purchased from an insurance
1100 agency owned by, or affiliated with, the trustee or its affiliate; (C) the
1101 placing of securities transactions by a trustee through a securities
1102 broker that is a part of the same company as the trustee, is owned by
1103 the trustee or is affiliated with the trustee.

1104 (2) A trustee may be compensated for any transaction described in
1105 this subsection out of fees charged to the trust if the trustee, at least
1106 annually, notifies the persons entitled under section 67 of this act to
1107 receive a copy of the trustee's annual report of the rate and method by
1108 which the compensation was determined.

1109 (g) In voting shares of stock or in exercising powers of control over
1110 similar interests in other forms of enterprise, the trustee shall act in the
1111 best interests of the beneficiaries. If the trust is the sole owner of a
1112 corporation or other form of enterprise, the trustee shall elect or

1113 appoint directors or other managers who will manage the corporation
1114 or enterprise in the best interests of the beneficiaries.

1115 (h) This section does not preclude the following transactions, if fair
1116 to the beneficiaries: (1) An agreement between a trustee and a
1117 beneficiary relating to the appointment or compensation of the trustee;
1118 (2) payment of reasonable compensation to the trustee; (3) a
1119 transaction between a trust and another trust, decedent's estate or
1120 conservatorship of which the trustee is a fiduciary or in which a
1121 beneficiary has an interest; (4) a deposit of trust money in a regulated
1122 financial service institution operated by the trustee; or (5) an advance
1123 by the trustee of money for the protection of the trust.

1124 (i) The court may appoint a special fiduciary to make a decision
1125 with respect to any proposed transaction that might violate this section
1126 if entered into by the trustee.

1127 Sec. 61. (NEW) (*Effective January 1, 2007*) A trustee shall administer
1128 the trust as a prudent person would, by considering the purposes,
1129 terms, distributional requirements and other circumstances of the
1130 trust. In satisfying this standard, the trustee shall exercise reasonable
1131 care, skill and caution.

1132 Sec. 62. (NEW) (*Effective January 1, 2007*) (a) While a trust is
1133 revocable, the trustee may follow a direction of the settlor that is
1134 contrary to the terms of the trust.

1135 (b) If the terms of a trust confer upon a person other than the settlor
1136 of a revocable trust power to direct certain actions of the trustee, the
1137 trustee shall act in accordance with an exercise of such power unless
1138 the attempted exercise is manifestly contrary to the terms of the trust
1139 or the trustee knows the attempted exercise would constitute a serious
1140 breach of a fiduciary duty that the person holding such power owes to
1141 the beneficiaries of the trust.

1142 (c) The terms of a trust may confer upon a trustee or other person a

1143 power to direct the modification or termination of the trust.

1144 (d) A person, other than a beneficiary, who holds a power to direct
1145 as specified in subsection (b) or (c) of this section is presumptively a
1146 fiduciary and is required to act in good faith with regard to the
1147 purposes of the trust and the interests of the beneficiaries. The holder
1148 of a power to direct is liable for any loss that results from breach of a
1149 fiduciary duty.

1150 Sec. 63. (NEW) (*Effective January 1, 2007*) A trustee shall take
1151 reasonable steps to take control of and protect the trust property.

1152 Sec. 64. (NEW) (*Effective January 1, 2007*) (a) A trustee shall keep
1153 adequate records of the administration of the trust.

1154 (b) A trustee shall keep trust property separate from the trustee's
1155 own property.

1156 (c) Except as otherwise provided in subsection (d) of this section, a
1157 trustee shall cause the trust property to be designated so that the
1158 interest of the trust, to the extent feasible, appears in records
1159 maintained by a party other than a trustee or beneficiary.

1160 (d) If the trustee maintains records clearly indicating the respective
1161 interests, a trustee may invest as a whole the property of two or more
1162 separate trusts.

1163 Sec. 65. (NEW) (*Effective January 1, 2007*) A trustee shall take
1164 reasonable steps to enforce claims of the trust and to defend claims
1165 against the trust.

1166 Sec. 66. (NEW) (*Effective January 1, 2007*) A trustee shall take
1167 reasonable steps to compel a former trustee or other person to deliver
1168 trust property to the trustee, and to redress a breach of trust known to
1169 the trustee to have been committed by a former trustee.

1170 Sec. 67. (NEW) (*Effective January 1, 2007*) (a) Unless, under the

1171 circumstances, disclosure is unreasonable: (1) A trustee shall keep the
1172 current beneficiaries of the trust reasonably informed about the
1173 administration of the trust and of the material facts necessary for them
1174 to protect their interests; and (2) a trustee shall promptly respond to a
1175 qualified beneficiary's request for trustee's reports and other
1176 information reasonably related to the administration of the trust.

1177 (b) A trustee: (1) Upon request of a beneficiary, shall promptly
1178 furnish to the beneficiary a copy of the trust instrument; (2) within
1179 sixty days after accepting a trusteeship, shall notify the current
1180 beneficiaries of the acceptance and of the trustee's name, address and
1181 telephone number; and (3) within sixty days after the date the trustee
1182 acquires knowledge of the creation of an irrevocable trust, or the date
1183 the trustee acquires knowledge that a formerly revocable trust has
1184 become irrevocable, whether by the death of the settlor or otherwise,
1185 shall notify the current beneficiaries of the trust's existence, of the
1186 identity of the settlor or settlors, of the right to request a copy of the
1187 trust instrument and of the right to trustee's reports.

1188 (c) A trustee shall send to the current beneficiaries of the trust, and
1189 to other beneficiaries who request it, at least annually and at the
1190 termination of the trust, a report of the trust property, liabilities,
1191 receipts and disbursements, including the source and amount of the
1192 trustee's compensation, a listing of the trust assets and, if feasible, their
1193 respective market values. Upon a vacancy in a trusteeship, unless a
1194 cotrustee remains in office, a report shall be sent to the current
1195 beneficiaries by the former trustee. An executor, administrator or
1196 conservator may send the current beneficiaries a report on behalf of a
1197 deceased or incapacitated trustee.

1198 (d) A beneficiary may waive the right to trustee's reports or other
1199 information otherwise required to be furnished under this section. A
1200 beneficiary, with respect to future reports and other information, may
1201 withdraw a waiver previously given.

1202 (e) Judicial approval of a trustee's report forecloses claims as to

1203 those given notice of the proceeding as to matters disclosed in the
1204 report.

1205 Sec. 68. (NEW) (*Effective January 1, 2007*) (a) Notwithstanding the
1206 breadth of discretion granted to a trustee in the terms of the trust,
1207 including the use of such terms as "absolute", "sole" or "uncontrolled",
1208 the trustee shall exercise a discretionary power in good faith and in
1209 accordance with the terms and purposes of the trust, the intentions of
1210 the settlor and the interests of the beneficiaries.

1211 (b) Subject to subsection (d) of this section, and unless the terms of
1212 the trust expressly indicate that a rule in this subsection does not
1213 apply: (1) A person, other than a settlor, who is a beneficiary and
1214 trustee of a trust that confers on the trustee a power to make
1215 discretionary distributions to or for the trustee's personal benefit may
1216 exercise the power only in accordance with an ascertainable standard
1217 relating to the trustee's individual health, education, support or
1218 maintenance within the meaning of Section 2041(b)(1)(A) or 2514(c)(1)
1219 of the Internal Revenue Code of 1986, or any subsequent
1220 corresponding internal revenue code of the United States, as from time
1221 to time amended; and (2) a trustee may not exercise a power to make
1222 discretionary distributions to satisfy a legal obligation of support that
1223 the trustee personally owes another person.

1224 (c) A power to make discretionary distributions, the exercise of
1225 which is limited or prohibited by subsection (b) of this section, may be
1226 exercised by a majority of the remaining trustees whose exercise of
1227 such power is not so limited or prohibited. If the exercise of such
1228 power by all trustees is so limited or prohibited, the court may appoint
1229 a special fiduciary with authority to exercise such power.

1230 (d) Subsection (b) of this section, does not apply to: (1) A power
1231 held by the settlor's spouse who is the trustee of a trust for which a
1232 marital deduction, as defined in Section 2056(b)(5) or 2523(e) of the
1233 Internal Revenue Code of 1986, or any subsequent corresponding
1234 internal revenue code of the United States, as from time to time

1235 amended, was previously allowed; (2) any trust during any period that
1236 the trust may be revoked or amended by its settlor; or (3) a trust, if
1237 contributions to the trust qualify for the annual exclusion under
1238 Section 2503(c) of the Internal Revenue Code of 1986, or any
1239 subsequent corresponding internal revenue code of the United States,
1240 as from time to time amended.

1241 Sec. 69. (NEW) (*Effective January 1, 2007*) (a) A trustee, without
1242 authorization by the court, may exercise: (1) Powers conferred by the
1243 terms of the trust; and (2) except as limited by the terms of the trust,
1244 (A) all powers over the trust property which an unmarried competent
1245 owner has over individually-owned property, (B) any other powers
1246 appropriate to achieve the proper investment, management and
1247 distribution of the trust property, and (C) any other powers conferred
1248 by sections 1 to 86, inclusive, of this act.

1249 (b) The exercise of any power is subject to the fiduciary duties
1250 prescribed by sections 59 to 71, inclusive, of this act.

1251 Sec. 70. (NEW) (*Effective January 1, 2007*) Without limiting the
1252 authority conferred by section 69 of this act, a trustee may:

1253 (1) Collect trust property and accept or reject additions to the trust
1254 property from a settlor or any other person;

1255 (2) Acquire or sell property, for cash or on credit, at public or
1256 private sale;

1257 (3) Exchange, partition or otherwise change the character of trust
1258 property;

1259 (4) Deposit trust money in an account in a regulated financial
1260 service institution;

1261 (5) Borrow money, with or without security, and mortgage or
1262 pledge trust property for a period within or extending beyond the
1263 duration of the trust;

1264 (6) With respect to an interest in a proprietorship, partnership,
1265 limited liability company, business trust, corporation or other form of
1266 business or enterprise, continue the business or other enterprise and
1267 take any action that may be taken by shareholders, members or
1268 property owners, including merging, dissolving or otherwise changing
1269 the form of business organization or contributing additional capital;

1270 (7) With respect to stocks or other securities, exercise the rights of an
1271 absolute owner, including the right to (A) vote or give proxies to vote,
1272 with or without power of substitution, or enter into or continue a
1273 voting trust agreement, (B) hold a security in the name of a nominee or
1274 in other form without disclosure of the trust so that title may pass by
1275 delivery, (C) pay calls, assessments and other sums chargeable or
1276 accruing against the securities, and sell or exercise stock subscription
1277 or conversion rights, and (D) deposit the securities with a depository
1278 or other regulated financial service institution;

1279 (8) With respect to an interest in real property, construct or make
1280 ordinary or extraordinary repairs to, alterations to or improvements in
1281 buildings or other structures, demolish improvements, raze existing or
1282 erect new party walls or buildings, subdivide or develop land,
1283 dedicate land to public use or grant public or private easements, and
1284 make or vacate plats and adjust boundaries;

1285 (9) Enter into a lease for any purpose as lessor or lessee, including a
1286 lease or other arrangement for exploration and removal of natural
1287 resources, with or without the option to purchase or renew, for a
1288 period within or extending beyond the duration of the trust;

1289 (10) Grant an option involving a sale, lease or other disposition of
1290 trust property or acquire an option for the acquisition of property,
1291 including an option exercisable beyond the duration of the trust, and
1292 exercise an option so acquired;

1293 (11) Insure the property of the trust against damage or loss, and
1294 insure the trustee, the trustee's agents and beneficiaries against liability

1295 arising from the administration of the trust;

1296 (12) Abandon or decline to administer property of no value or of
1297 insufficient value to justify its collection or continued administration;

1298 (13) With respect to possible liability for violation of environmental
1299 law, (A) inspect or investigate property the trustee holds or has been
1300 asked to hold, or property owned or operated by an organization in
1301 which the trustee holds or has been asked to hold an interest, for the
1302 purpose of determining the application of environmental law with
1303 respect to the property, (B) take action to prevent, abate or otherwise
1304 remedy any actual or potential violation of any environmental law
1305 affecting property held directly or indirectly by the trustee, whether
1306 taken before or after the assertion of a claim or the initiation of
1307 governmental enforcement, (C) decline to accept property into trust or
1308 disclaim any power with respect to property that is or may be
1309 burdened with liability for violation of environmental law, (D)
1310 compromise claims against the trust which may be asserted for an
1311 alleged violation of environmental law, and (E) pay the expense of any
1312 inspection, review, abatement or remedial action to comply with
1313 environmental law;

1314 (14) Pay or contest any claim, settle a claim by or against the trust,
1315 and release, in whole or in part, a claim belonging to the trust;

1316 (15) Pay taxes, assessments, compensation of the trustee and of
1317 employees and agents of the trust, and other expenses incurred in the
1318 administration of the trust;

1319 (16) Exercise elections with respect to federal, state and local taxes;

1320 (17) Select a mode of payment under any employee benefit or
1321 retirement plan, annuity or life insurance payable to the trustee,
1322 exercise rights thereunder, including exercise of the right to
1323 indemnification for expenses and against liabilities, and take
1324 appropriate action to collect the proceeds;

1325 (18) Make loans out of trust property, including loans to a
1326 beneficiary on terms and conditions the trustee considers to be fair and
1327 reasonable under the circumstances, with the trustee having a lien on
1328 future distributions for repayment of such loans;

1329 (19) Pledge trust property to guarantee loans made by others to the
1330 beneficiary;

1331 (20) Appoint a trustee to act in another jurisdiction with respect to
1332 trust property located in the other jurisdiction, confer upon such
1333 appointed trustee all of the powers and duties of the appointing
1334 trustee, require that such appointed trustee furnish security, and
1335 remove any trustee so appointed;

1336 (21) Pay an amount distributable to a beneficiary who is under a
1337 legal disability or who the trustee reasonably believes is incapacitated,
1338 by: (A) Paying it directly to the beneficiary or applying it for the
1339 beneficiary's benefit; (B) paying it to the beneficiary's conservator; (C)
1340 paying it to the beneficiary's custodian under the Uniform Transfers to
1341 Minors Act or to the beneficiary's custodial trustee under the Uniform
1342 Custodial Trust Act, and, for such purpose, creating a custodianship or
1343 custodial trust; (D) if the trustee does not know of a conservator,
1344 custodian or custodial trustee, paying it to an adult relative or other
1345 person having legal or physical care or custody of the beneficiary, to be
1346 expended on the beneficiary's behalf; or (E) managing it as a separate
1347 fund on the beneficiary's behalf, subject to the beneficiary's continuing
1348 right to withdraw the distribution;

1349 (22) On distribution of trust property or the division or termination
1350 of a trust, make distributions in divided or undivided interests,
1351 allocate particular assets in proportionate or disproportionate shares,
1352 value the trust property for such purposes and adjust for resulting
1353 differences in valuation;

1354 (23) Resolve a dispute concerning the interpretation of the trust or
1355 its administration by mediation, arbitration or other procedure for

1356 alternative dispute resolution;

1357 (24) Prosecute or defend an action, claim or judicial proceeding in
1358 any jurisdiction to protect trust property and the trustee in the
1359 performance of the trustee's duties;

1360 (25) Sign and deliver contracts and other instruments that are useful
1361 to achieve or facilitate the exercise of the trustee's powers; and

1362 (26) On termination of the trust, exercise the powers appropriate to
1363 wind up the administration of the trust and distribute the trust
1364 property to the persons entitled to it.

1365 Sec. 71. (NEW) (*Effective January 1, 2007*) (a) Upon termination or
1366 partial termination of a trust, the trustee of an inter vivos trust may
1367 send to the beneficiaries a proposal for distribution. The right of any
1368 beneficiary to object to the proposed distribution terminates if the
1369 beneficiary does not notify the trustee of an objection not later than
1370 thirty days after the proposal was sent, but only if the proposal
1371 informed the beneficiary of the right to object and of the time allowed
1372 for objection.

1373 (b) Upon the occurrence of an event terminating or partially
1374 terminating a trust, the trustee shall proceed expeditiously to
1375 distribute the trust property to the persons entitled to it, subject to the
1376 right of the trustee to retain a reasonable reserve for the payment of
1377 debts, expenses and taxes.

1378 (c) A release by a beneficiary of a trustee from liability for breach of
1379 trust is invalid to the extent: (1) It was induced by improper conduct of
1380 the trustee; or (2) the beneficiary, at the time of the release, did not
1381 know of the beneficiary's rights or of the material facts relating to the
1382 breach.

1383 Sec. 72. (NEW) (*Effective January 1, 2007*) (a) A violation by a trustee
1384 of a duty the trustee owes to a beneficiary is a breach of trust.

1385 (b) To remedy a breach of trust that has occurred or may occur, the
 1386 court may: (1) Compel the trustee to perform the trustee's duties; (2)
 1387 enjoin the trustee from committing a breach of trust; (3) compel the
 1388 trustee to redress a breach of trust by paying money, restoring
 1389 property or other means; (4) order a trustee to account; (5) appoint a
 1390 special fiduciary to take possession of the trust property and
 1391 administer the trust; (6) suspend the trustee; (7) remove the trustee as
 1392 provided in section 55 of this act; (8) reduce or deny compensation to
 1393 the trustee; (9) subject to the provisions of section 82 of this act, void an
 1394 act of the trustee, impose a lien or a constructive trust on trust
 1395 property, or trace trust property wrongfully disposed of and recover
 1396 the property or its proceeds; or (10) order any other appropriate relief.

1397 Sec. 73. (NEW) (*Effective January 1, 2007*) (a) A trustee who commits
 1398 a breach of trust is liable to the beneficiaries affected for the greater of:
 1399 (1) The amount required to restore the value of the trust property and
 1400 trust distributions to what they would have been had the breach not
 1401 occurred; or (2) the profit the trustee made by reason of the breach.

1402 (b) Except as otherwise provided in this subsection, if more than one
 1403 trustee is liable to the beneficiaries for a breach of trust, a trustee is
 1404 entitled to contribution from the other trustee or trustees. A trustee is
 1405 not entitled to contribution if the trustee was substantially more at
 1406 fault than another trustee or if the trustee committed the breach of
 1407 trust in bad faith or with reckless indifference to the purposes of the
 1408 trust or the interests of the beneficiaries. A trustee who received a
 1409 benefit from the breach of trust is not entitled to contribution from
 1410 another trustee to the extent of the benefit received.

1411 Sec. 74. (NEW) (*Effective January 1, 2007*) (a) A trustee is accountable
 1412 to an affected beneficiary for any profit made by the trustee arising
 1413 from the administration of the trust, even absent a breach of trust.

1414 (b) Absent a breach of trust, a trustee is not liable to a beneficiary for
 1415 a loss or depreciation in the value of trust property or for not having
 1416 made a profit.

1417 Sec. 75. (NEW) (*Effective January 1, 2007*) (a) A beneficiary may not
1418 commence a proceeding against a trustee for breach of trust more than
1419 one year after the date the beneficiary or a representative of the
1420 beneficiary was sent a report that adequately disclosed the existence of
1421 a potential claim for breach of trust and informed the beneficiary of the
1422 time allowed for commencing a proceeding.

1423 (b) A report adequately discloses the existence of a potential claim
1424 for breach of trust if it provides sufficient information so that the
1425 beneficiary or representative knows of the potential claim or should
1426 have inquired into its existence.

1427 (c) If subsection (a) of this section does not apply, a judicial
1428 proceeding by a beneficiary against a trustee for breach of trust shall
1429 be commenced not later than six years after the first to occur of: (1) The
1430 removal or resignation of the trustee; (2) the termination of the
1431 beneficiary's interest in the trust; or (3) the termination of the trust.

1432 Sec. 76. (NEW) (*Effective January 1, 2007*) A trustee who acts in
1433 reasonable reliance on the terms of the trust as expressed in the trust
1434 instrument is not liable to a beneficiary for a breach of trust to the
1435 extent the breach resulted from the reliance.

1436 Sec. 77. (NEW) (*Effective January 1, 2007*) If the happening of an
1437 event, including marriage, divorce, performance of educational
1438 requirements or death, affects the administration or distribution of a
1439 trust, a trustee who has exercised reasonable care to ascertain the
1440 happening of the event is not liable for a loss resulting from the
1441 trustee's lack of knowledge.

1442 Sec. 78. (NEW) (*Effective January 1, 2007*) (a) A term of a trust
1443 relieving a trustee of liability for breach of trust is unenforceable to the
1444 extent that it: (1) Relieves the trustee of liability for breach of trust
1445 committed in bad faith or with reckless indifference to the purposes of
1446 the trust or the interests of the beneficiaries; or (2) was inserted as the
1447 result of an abuse by the trustee of a fiduciary or confidential

1448 relationship to the settlor.

1449 (b) Except for terms intended to provide protection for carrying out
1450 a stated trust purpose, an exculpatory term drafted or caused to be
1451 drafted by the trustee is invalid as an abuse of a fiduciary or
1452 confidential relationship unless the trustee proves that the exculpatory
1453 term is fair under the circumstances and that its existence and contents
1454 were adequately communicated to the settlor.

1455 Sec. 79. (NEW) (*Effective January 1, 2007*) A trustee is not liable to a
1456 beneficiary for breach of trust if the beneficiary consented to the
1457 conduct constituting the breach, released the trustee from liability for
1458 the breach, or ratified the transaction constituting the breach, unless:
1459 (1) The consent, release or ratification of the beneficiary was induced
1460 by improper conduct of the trustee; or (2) at the time of the consent,
1461 release or ratification, the beneficiary did not know of the beneficiary's
1462 rights or of the material facts relating to the breach.

1463 Sec. 80. (NEW) (*Effective January 1, 2007*) (a) Except as otherwise
1464 provided in the contract, a trustee is not personally liable on a contract
1465 properly entered into in the trustee's fiduciary capacity in the course of
1466 administering the trust if the trustee in the contract disclosed the
1467 fiduciary capacity.

1468 (b) Except as otherwise limited by state statute, a trustee is
1469 personally liable for torts committed in the course of administering a
1470 trust, or for obligations arising from ownership or control of trust
1471 property, including liability for violation of environmental law, only if
1472 the trustee is personally at fault.

1473 (c) A claim based on (1) a contract entered into by a trustee in the
1474 trustee's fiduciary capacity, (2) an obligation arising from ownership or
1475 control of trust property, or (3) a tort committed in the course of
1476 administering a trust, may be asserted in a judicial proceeding against
1477 the trustee in the trustee's fiduciary capacity, whether or not the
1478 trustee is personally liable for the claim.

1479 Sec. 81. (NEW) (*Effective January 1, 2007*) (a) Except as otherwise
1480 provided in subsection (c) of this section, or unless personal liability is
1481 imposed in the contract, a trustee who holds an interest as a general
1482 partner in a general or limited partnership is not personally liable on a
1483 contract entered into by the partnership after the trust's acquisition of
1484 the interest if the fiduciary capacity was disclosed in the contract or in
1485 a statement previously filed pursuant to the Uniform Partnership Act,
1486 sections 34-300 to 34-399, inclusive, of the general statutes, or the
1487 Uniform Limited Partnership Act, sections 34-9 to 34-38u, inclusive, of
1488 the general statutes.

1489 (b) Except as otherwise provided in subsection (c) of this section, a
1490 trustee who holds an interest as a general partner is not personally
1491 liable for torts committed by the partnership or for obligations arising
1492 from ownership or control of the interest unless the trustee is
1493 personally at fault.

1494 (c) The immunity provided by this section does not apply if an
1495 interest in the partnership is held by the trustee in a capacity other
1496 than that of trustee or is held by the trustee's spouse or one or more of
1497 the trustee's descendants, siblings or parents or the spouse of any of
1498 them.

1499 (d) If the trustee of a revocable trust holds an interest as a general
1500 partner, the settlor is personally liable for contracts and other
1501 obligations of the partnership as if the settlor were a general partner.

1502 Sec. 82. (NEW) (*Effective January 1, 2007*) (a) A person other than a
1503 beneficiary who in good faith assists a trustee, or who in good faith
1504 and for value deals with a trustee, without knowledge that the trustee
1505 is exceeding or improperly exercising the trustee's powers, is protected
1506 from liability as if the trustee properly exercised the power.

1507 (b) A person other than a beneficiary who in good faith deals with a
1508 trustee is not required to inquire into the extent of the trustee's powers
1509 or the propriety of their exercise.

1510 (c) A person who in good faith delivers assets to a trustee need not
1511 ensure their proper application.

1512 (d) A person other than a beneficiary who in good faith assists a
1513 former trustee, or who in good faith and for value deals with a former
1514 trustee, without knowledge that the trustee has terminated, is
1515 protected from liability as if the former trustee were still a trustee.

1516 (e) Comparable protective provisions of other laws relating to
1517 commercial transactions or transfer of securities by fiduciaries prevail
1518 over the protection provided by this section.

1519 Sec. 83. (NEW) (*Effective January 1, 2007*) (a) Instead of furnishing a
1520 copy of the trust instrument to a person other than a beneficiary, the
1521 trustee may furnish to the person a certification of trust containing the
1522 following information: (1) That the trust exists and the date the trust
1523 instrument was executed; (2) the identity of the settlor; (3) the identity
1524 and address of the currently acting trustee; (4) the powers of the
1525 trustee; (5) the revocability or irrevocability of the trust and the
1526 identity of any person holding a power to revoke the trust; (6) the
1527 authority of cotrustees to sign or otherwise authenticate, and whether
1528 all or less than all are required in order to exercise powers of the
1529 trustee; (7) the trust's taxpayer identification number; and (8) the
1530 manner of taking title to trust property.

1531 (b) A certification of trust may be signed or otherwise authenticated
1532 by any trustee.

1533 (c) A certification of trust shall state that the trust has not been
1534 revoked, modified or amended in any manner that would cause the
1535 representations contained in the certification of trust to be incorrect.

1536 (d) A certification of trust need not contain the dispositive terms of a
1537 trust.

1538 (e) A recipient of a certification of trust may require the trustee to
1539 furnish copies of those excerpts from the original trust instrument and

1540 later amendments which designate the trustee and confer upon the
1541 trustee the power to act in the pending transaction.

1542 (f) A person who acts in reliance upon a certification of trust
1543 without knowledge that the representations contained therein are
1544 incorrect is not liable to any person for so acting and may assume
1545 without inquiry the existence of the facts contained in the certification.

1546 (g) A person who in good faith enters into a transaction in reliance
1547 upon a certification of trust may enforce the transaction against the
1548 trust property as if the representations contained in the certification
1549 were correct.

1550 (h) A person making a demand for the trust instrument in addition
1551 to a certification of trust or excerpts is liable for damages if the court
1552 determines that the person did not act in good faith in demanding the
1553 trust instrument.

1554 (i) This section does not limit the right of a person to obtain a copy
1555 of the trust instrument in a judicial proceeding concerning the trust.

1556 Sec. 84. (NEW) (*Effective January 1, 2007*) In applying and construing
1557 the uniform provisions of sections 1 to 86, inclusive, of this act,
1558 consideration must be given to the need to promote uniformity of the
1559 law with respect to the subject matter among states that enact such
1560 uniform provisions.

1561 Sec. 85. (NEW) (*Effective January 1, 2007*) If any provision of sections
1562 1 to 86, inclusive, of this act or its application to any person or
1563 circumstances is held invalid, the invalidity does not affect other
1564 provisions or applications of sections 1 to 86, inclusive, of this act
1565 which can be given effect without the invalid provision or application,
1566 and to this end the provisions of sections 1 to 86, inclusive, of this act
1567 are severable.

1568 Sec. 86. (NEW) (*Effective January 1, 2007*) (a) Except as otherwise
1569 provided in sections 1 to 86, inclusive, of this act, on the effective date

1570 of this section:

1571 (1) Sections 1 to 86, inclusive, of this act apply to all trusts created
1572 before, on or after the effective date of this section;

1573 (2) Sections 1 to 86, inclusive, of this act apply to all judicial
1574 proceedings concerning trusts commenced on or after the effective
1575 date of this section;

1576 (3) Sections 1 to 86, inclusive, of this act apply to judicial
1577 proceedings concerning trusts commenced before the effective date of
1578 this section, unless the court finds that application of a particular
1579 provision of sections 1 to 86, inclusive, of this act would substantially
1580 interfere with the effective conduct of the judicial proceedings or
1581 prejudice the rights of the parties, in which case the particular
1582 provision of sections 1 to 86, inclusive, of this act does not apply and
1583 the superseded law applies;

1584 (4) Any rule of construction or presumption provided in sections 1
1585 to 86, inclusive, of this act applies to trust instruments executed before
1586 the effective date of this section unless there is a clear indication of a
1587 contrary intent in the terms of the trust;

1588 (5) An act done before the effective date of this section is not
1589 affected by sections 1 to 86, inclusive, of this act;

1590 (6) The ninety-year period specified in subdivision (1) of section 29
1591 of this act shall only apply to trusts that become irrevocable on or after
1592 the effective date of this section;

1593 (7) The provisions of subdivision (4) of subsection (a) of section 42 of
1594 this act shall only apply to revocable trusts of settlors dying on or after
1595 the effective date of this section; and

1596 (8) The provisions of subsections (b) and (c) of section 67 of this act,
1597 shall only apply to trusts that become irrevocable on or after the
1598 effective date of this section.

1599 (b) If a right is acquired, extinguished or barred upon the expiration
1600 of a prescribed period that has commenced to run under any other
1601 statute before the effective date of this section, such statute continues
1602 to apply to the right even if it has been repealed or superseded.

1603 Sec. 87. Subsection (a) of section 45a-98 of the general statutes is
1604 repealed and the following is substituted in lieu thereof (*Effective*
1605 *January 1, 2007*):

1606 (a) Courts of probate in their respective districts shall have the
1607 power to: (1) [~~grant~~] Grant administration of intestate estates of
1608 persons who have died domiciled in their districts and of intestate
1609 estates of persons not domiciled in this state which may be granted as
1610 provided [~~by~~] in section 45a-303; (2) admit wills to probate of persons
1611 who have died domiciled in their districts or of nondomiciliaries
1612 whose wills may be proved in their districts as provided in section 45a-
1613 287; (3) except as provided in section 45a-98a or as limited by an
1614 applicable statute of limitations, determine title or rights of possession
1615 and use in and to any real, tangible or intangible property that
1616 constitutes, or may constitute, all or part of any trust, any decedent's
1617 estate, or any estate under control of a guardian or conservator, which
1618 trust or estate is otherwise subject to the jurisdiction of the Probate
1619 Court, including the rights and obligations of any beneficiary of the
1620 trust or estate and including the rights and obligations of any joint
1621 tenant with respect to survivorship property; (4) except as provided in
1622 section 45a-98a, construe the meaning and effect of any will or trust
1623 agreement if a construction is required in connection with the
1624 administration or distribution of a trust or estate otherwise subject to
1625 the jurisdiction of the Probate Court, or, with respect to an inter vivos
1626 trust, if that trust is or could be subject to jurisdiction of the court for
1627 an accounting pursuant to section 45a-175, provided such an
1628 accounting need not be required; (5) except as provided in section 45a-
1629 98a, apply the doctrine of cy pres or approximation; (6) to the extent
1630 provided for in section 45a-175, call executors, administrators, trustees,
1631 guardians, conservators, persons appointed to sell the land of minors,

1632 and attorneys-in-fact acting under powers of attorney created in
1633 accordance with section 45a-562, to account concerning the estates
1634 entrusted to their charge; (7) in trust matters, to take any action
1635 authorized in subsection (d) of section 12 of this act; and [(7)] (8) make
1636 any lawful orders or decrees to carry into effect the power and
1637 jurisdiction conferred upon them by the laws of this state.

1638 Sec. 88. Subsection (c) of section 45a-475 of the general statutes is
1639 repealed and the following is substituted in lieu thereof (*Effective*
1640 *January 1, 2007*):

1641 (c) The provisions of section [45a-474] 53 of this act shall not apply
1642 to the trusts specified in this section.

1643 Sec. 89. Section 45a-482 of the general statutes is repealed and the
1644 following is substituted in lieu thereof (*Effective January 1, 2007*):

1645 When the facts at the time of distribution from an estate to a trust or
1646 from a testamentary trust to a successive trust are such that no trust
1647 would be operative under the terms of the instrument creating such
1648 trust or successive trust because of the death of the life tenant, or
1649 because the beneficiary has reached a stipulated age, or if such trust
1650 would qualify for termination under section [45a-484] 34 of this act, or
1651 for any other reason, the fiduciary of such estate or prior trust may
1652 distribute, with the approval of the court of probate having
1653 jurisdiction, directly from the estate or prior trust to the remaindermen
1654 of such trust, the corpus of such trust and any income earned during
1655 the period of estate administration or administration of the prior trust
1656 and distributable to such remaindermen, without the interposition of
1657 the establishment of such trust or successive trust. If distribution is
1658 based on the fact that the trust would qualify for termination under
1659 section [45a-484] 34 of this act, reasonable notice shall be provided to
1660 all beneficiaries who are known and in being and who have vested or
1661 contingent interests in the trust.

1662 Sec. 90. Section 52-321 of the general statutes is repealed and the

1663 following is substituted in lieu thereof (*Effective January 1, 2007*):

1664 [Except as provided in sections 52-321a and 52-352b:

1665 (a) If property has been given to trustees to pay over the income to
1666 any person, without provision for accumulation or express
1667 authorization to the trustees to withhold the income, and the income
1668 has not been expressly given for the support of the beneficiary or his
1669 family, the income shall be liable in equity to the claims of all creditors
1670 of the beneficiary.

1671 (b) Any creditor of the beneficiary who has secured a judgment
1672 against the beneficiary may bring an action against him and serve the
1673 trustees with garnishee process, and the court to which the action is
1674 returnable may direct the trustees to pay over the net income derived
1675 from the trust estate to the judgment creditor, as the income may
1676 accrue, until the creditor's debt is satisfied.

1677 (c) The court having jurisdiction over the fund may make such an
1678 order for payment pursuant to subsection (b) when the beneficiary is a
1679 nonresident of this state, as well as when the beneficiary is a resident,
1680 but in the case of a nonresident beneficiary notice shall be given to the
1681 nonresident of the action against him as provided in section 52-87. The
1682 nonresidence of the beneficiary shall not deprive the court of authority
1683 to make such an order.

1684 (d) If any such trust has been expressly provided to be for the
1685 support of the beneficiary or his family, a court of equity having
1686 jurisdiction may make such order regarding the surplus, if any, not
1687 required for the support of the beneficiary or his family, as justice and
1688 equity may require.

1689 (e) The defendant trustee in any such action] In any action brought
1690 by a creditor of a beneficiary of a trust to enforce a judgment against
1691 the beneficiary in which a defendant trustee is served with garnishee
1692 process, the trustee shall be entitled to charge in the administration

1693 account of the trust such expenses and disbursements as the court to
1694 which the action is brought determines to be reasonable and proper.

1695 Sec. 91. Sections 45a-473, 45a-474, 45a-477, 45a-484 and 45a-487 to
1696 45a-487f, inclusive, of the general statutes are repealed. (*Effective*
1697 *January 1, 2007*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2007</i>	New section
Sec. 2	<i>January 1, 2007</i>	New section
Sec. 3	<i>January 1, 2007</i>	New section
Sec. 4	<i>January 1, 2007</i>	New section
Sec. 5	<i>January 1, 2007</i>	New section
Sec. 6	<i>January 1, 2007</i>	New section
Sec. 7	<i>January 1, 2007</i>	New section
Sec. 8	<i>January 1, 2007</i>	New section
Sec. 9	<i>January 1, 2007</i>	New section
Sec. 10	<i>January 1, 2007</i>	New section
Sec. 11	<i>January 1, 2007</i>	New section
Sec. 12	<i>January 1, 2007</i>	New section
Sec. 13	<i>January 1, 2007</i>	New section
Sec. 14	<i>January 1, 2007</i>	New section
Sec. 15	<i>January 1, 2007</i>	New section
Sec. 16	<i>January 1, 2007</i>	New section
Sec. 17	<i>January 1, 2007</i>	New section
Sec. 18	<i>January 1, 2007</i>	New section
Sec. 19	<i>January 1, 2007</i>	New section
Sec. 20	<i>January 1, 2007</i>	New section
Sec. 21	<i>January 1, 2007</i>	New section
Sec. 22	<i>January 1, 2007</i>	New section
Sec. 23	<i>January 1, 2007</i>	New section
Sec. 24	<i>January 1, 2007</i>	New section
Sec. 25	<i>January 1, 2007</i>	New section
Sec. 26	<i>January 1, 2007</i>	New section
Sec. 27	<i>January 1, 2007</i>	New section
Sec. 28	<i>January 1, 2007</i>	New section
Sec. 29	<i>January 1, 2007</i>	New section

Sec. 30	<i>January 1, 2007</i>	New section
Sec. 31	<i>January 1, 2007</i>	New section
Sec. 32	<i>January 1, 2007</i>	New section
Sec. 33	<i>January 1, 2007</i>	New section
Sec. 34	<i>January 1, 2007</i>	New section
Sec. 35	<i>January 1, 2007</i>	New section
Sec. 36	<i>January 1, 2007</i>	New section
Sec. 37	<i>January 1, 2007</i>	New section
Sec. 38	<i>January 1, 2007</i>	New section
Sec. 39	<i>January 1, 2007</i>	New section
Sec. 40	<i>January 1, 2007</i>	New section
Sec. 41	<i>January 1, 2007</i>	New section
Sec. 42	<i>January 1, 2007</i>	New section
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Sec. 46	<i>January 1, 2007</i>	New section
Sec. 47	<i>January 1, 2007</i>	New section
Sec. 48	<i>January 1, 2007</i>	New section
Sec. 49	<i>January 1, 2007</i>	New section
Sec. 50	<i>January 1, 2007</i>	New section
Sec. 51	<i>January 1, 2007</i>	New section
Sec. 52	<i>January 1, 2007</i>	New section
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Sec. 58	<i>January 1, 2007</i>	New section
Sec. 59	<i>January 1, 2007</i>	New section
Sec. 60	<i>January 1, 2007</i>	New section
Sec. 61	<i>January 1, 2007</i>	New section
Sec. 62	<i>January 1, 2007</i>	New section
Sec. 63	<i>January 1, 2007</i>	New section
Sec. 64	<i>January 1, 2007</i>	New section
Sec. 65	<i>January 1, 2007</i>	New section
Sec. 66	<i>January 1, 2007</i>	New section
Sec. 67	<i>January 1, 2007</i>	New section
Sec. 68	<i>January 1, 2007</i>	New section
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Sec. 70	<i>January 1, 2007</i>	New section
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Sec. 79	<i>January 1, 2007</i>	New section
Sec. 80	<i>January 1, 2007</i>	New section
Sec. 81	<i>January 1, 2007</i>	New section
Sec. 82	<i>January 1, 2007</i>	New section
Sec. 83	<i>January 1, 2007</i>	New section
Sec. 84	<i>January 1, 2007</i>	New section
Sec. 85	<i>January 1, 2007</i>	New section
Sec. 86	<i>January 1, 2007</i>	New section
Sec. 87	<i>January 1, 2007</i>	45a-98(a)
Sec. 88	<i>January 1, 2007</i>	45a-475(c)
Sec. 89	<i>January 1, 2007</i>	45a-482
Sec. 90	<i>January 1, 2007</i>	52-321
Sec. 91	<i>January 1, 2007</i>	Repealer section

Statement of Purpose:

To adopt the Connecticut Uniform Trust Code.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]